



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/828,878

04/20/2004

Yasuhiko Uchida

ITECP015

5596

25920 7590 02/18/2009  
MARTINE PENILLA & GENCARELLA, LLP  
710 LAKEWAY DRIVE  
SUITE 200  
SUNNYVALE, CA 94085

EXAMINER

BECKLEY, JONATHAN R

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

02/18/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/828,878	<b>Applicant(s)</b> UCHIDA ET AL.	
	<b>Examiner</b> JONATHAN R. BECKLEY	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,6-8,10,11 and 13-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,6-8,10,11 and 13-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>01/19/2006 AND 04/21/2008</u> .                               | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 11/28/2008 have been fully considered but they are not persuasive. The arguments and remarks made by the applicant are more specifically found not persuasive in view of the new rejection of new reference Fukui combined with Nojima.

With respect to the applicant's remarks regarding the reference, "does not disclose or suggest preparing a template by combining an original template image, which has no image integration area, with at least one area display image, which defines the at least one image integration area," has been fully considered by the Examiner.

In reply: Fukui combined with Nojima do distinctly teach and suggest preparing a template by combining an original template image, which has no image integration area, with at least one area display image, which defines the at least one image integration area. Both separate references and in combination teach this limitation argued by the applicant. The original image of the current application is understood by the Examiner as a blank page which defines the original page parameters of the size and position used to create a template and document as simply shown in the applicant's Figure 8(a). In the main reference of Fukui on original this is met by the original user's input selection which includes information on the position and size of a page taught by Fukui. Fukui shows in Figure 3, that the original region data has page, text, and figure frames in which are laid out on top of the region data. Fukui clearly and distinctly suggests

Art Unit: 2625

preparing a template by combining an original template image, which has no image integration area, with at least one area display image, which defines the at least one image integration area.

---

### ***Claim Objections***

2. Claim 7 is objected to because of the following informalities: Claim 7, which states, "A print job creation apparatus is in accordance ***with claim 5***, wherein...", is objected to due to minor informalities. Claim 7 is presented to be dependent from claim 5 which was canceled in the amended claims. The Examiner will understand claim 7 to be dependent from claim 1 for purpose of further prosecution. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 6-8, 10-11 and 13-18 are rejected under 35 U.S.C. 103(a)** as being unpatentable over obviousness by **Fukui et al (US Patent 5,517,621), "Fukui", in further view of Nojima et al. (US Patent 5,930,811), "Nojima"**.

Art Unit: 2625

5. Regarding **Claim 1**, Fukui teaches a print job creation apparatus (**document formatting apparatus**) that creates a print job (**document, Column 1, lines 9-11; Column 3, lines 33-35**), which includes layout (**formatted/ to be laid out**) of at least one image (**document data / text data / figure data**) in a template (**specified format**) having at least one image integration area (**region**) to integrate (**to be laid out**) an image therein (**Column 1, lines 13-17 and lines 53-63**), said print job creation apparatus comprising:

a print service selection module (**operator selection input unit**) that selects one print service among multiple print service options, in response to a user's operation (**Column 4, lines 44-63**); and

a template storage module (**region data memory unit**) that stores available templates corresponding to each of the multiple print service options, the templates being prepared by combining an original template image, which has no image integration area (**Noted: the original image of the current application is understood by the Examiner as a blank page which defines the original page parameters of the size and position used to create a template and document. This is met by the original user's input selection which includes information on the position and size of a page taught by Fukui**), with at least one area display image (**frame for laying out the document data**), which defines the at least one image integration area (**Column 3, lines 36-39; Column 3, lines 66 - Column 4, lines 13; and Column 5, lines 14-30**);

Art Unit: 2625

a template selection module (**candidate selection control unit**) that displays a list of available templates corresponding to a print service selected by said print service selection module, among all the templates stored in said template storage module, to allow selection of a desired template, and selects a template in response to the user's template selection instruction (**Column lines 27-60**);

a priority order setting module (**candidate order determination unit**) that sets a priority order of at least one image integration area included in the selected template based on an arrangement of the at least one image integration area defined by the area display image (**Column 8, lines 54 – Column 9, lines 18; and See Figures 19 and Figures 20**);

a built-in image selection module (**process module which identifies a referencing phrase / candidate selection control unit**) that selects at least one image as a built-in image to be integrated into the selected template, in response to the user's image selection instruction (**Column 5, lines 39-44**); and

an image integration module (**candidate layout generation unit**) that integrates the at least one selected built-in image into the at least one image integration area of the selected template in the priority order set by said priority order setting module, in response to the user's image integration instruction (**Column 4, lines 18-37**).

Fukui does not directly teach a print job creation apparatus comprising:

a print service selection module that selects one print service among multiple print service options, in response to a user's operation.

**Fukui combined with Nojima** does teach a print job creation apparatus that creates a print job, which includes layout of at least one image in a template having at least one image integration area to integrate an image therein, said print job creation apparatus comprising:

a print service selection module that selects one print service among multiple print service options, in response to a user's operation **(creating a postcard is selected from a display screen; Column 3, lines 19-34; and Column 6, lines 54 – Column 7, lines 6);** and

a template storage module that stores available templates corresponding to each of the multiple print service options, the templates being prepared by combining an original template image, which has no image integration area, with at least one area display image, which defines the at least one image integration area **(Column 4, lines 30-36; and Column 7, lines 14-17);**

a template selection module that displays a list of available templates corresponding to a print service selected by said print service selection module, among all the templates stored in said template storage module, to allow selection of a desired template, and selects a template in response to the user's template selection instruction **(Column 4, lines 37-48; and See Figure 3);**

a priority order setting module that sets a priority order of at least one image integration area included in the selected template based on an arrangement of the at least one image integration area defined by the area display image **(Column 7, lines 25-48);**

a built-in image selection module that selects at least one image as a built-in image to be integrated into the selected template, in response to the user's image selection instruction (**Column 4, lines 37-48**); and

an image integration module that integrates the at least one selected built-in image into the at least one image integration area of the selected template in the priority order set by said priority order setting module, in response to the user's image integration instruction (**Column 4, lines 37-48**).

Fukui and Nojima are combinable because they are both from the same art of methods and apparatuses which create and process documents in accordance with a user's selections in a variety of options.

Therefore, it would have been obvious to one skilled in the art to modify Fukui with the teachings of Nojima at the time of the invention, so to provide a document processing apparatus in which, in the processing of producing document data by inserting parts into a layout for a postcard or any other card and outputting the resultant data, the manipulation for selecting a layout and inserting a part into the selected layout is simplified, and information can be discerned on a display screen, and thus document data of any layout can be processed easily and shortly (see SUMMARY).

Claim 2, CANCELED.

Claim 3, CANCELED.



Claim 4, CANCELED.

Claim 5, CANCELED.

Regarding **Claim 6, Fukui combined with Nojima** disclose wherein the area display image is used to set a transparent area corresponding to the image integration area in the original template image (**Fukui: Column 5, lines 14-30; See Figure 3. Nojima: See Figures 3 and Figures 7; Noted: In Fig. 3 part areas 1, 2 and 3 are transparent when no part is selected, compared to Figure 7 when a part is selected.**).

Regarding **Claim 7, Fukui combined with Nojima** disclose wherein the area display image is a one-pixel-one-bit image having one-bit information for each one pixel, which represents either a bit-on or a bit-off to show inclusion into or exclusion from an image integration area (**It is understood and obvious at the time of the invention was made that when images to be displayed are generated by a computed, processor, or apparatus of the kind, that in order to do so, one would be using the teachings and knowledge of binary images on a computer so to produce a bit-on or bit-off**) .

Regarding **Claim 8, Fukui combined with Nojima** disclose, said print job creation apparatus further comprising:

an image replacement module that, in response to the user's selection of one image integration area in the template with a built-in image currently placed therein by said image integration module and an image to be newly integrated into the selected image integration area, replaces the built-in image currently placed in the selected image integration area with the selected image (**Nojima: Column 4, lines 57-64; Column 5, lines 5-11; and Column 9, lines 10-50**).

Claim 9, CANCELED.

Regarding **Claim 10, Fukui combined with Nojima** disclose, wherein the multiple print services include at least one of an enlargement printing service, a digest printing service, a calendar printing service, a postcard printing service, a photo name card printing service, an ID photograph printing service, a seal printing service, a label printing service, and an album printing service (**Nojima: Column 3, lines 19-34; and Column 6, lines 54 – Column 7, lines 6**).

Regarding **Claim 14, Fukui combined with Nojima** disclose wherein said priority order setting module sets the priority order of the at least one image integration area according to a positional sequence of an upper end of each image integration area in the selected template (**Fukui: See Figures 3, 10A – 10B, 11A – 11C, 17A – 17B, 19, 20 and 8; Column 8, lines 28 – Column 9, lines 18**).

Regarding **Claim 15, Fukui combined with Nojima** disclose wherein said priority order setting module sets the priority order of the at least one image integration area according to a positional sequence of a left end of each image integration area in the selected template (**Fukui: See Figures 3, 10A – 10B, 11A – 11C, 17A – 17B, 19, 20 and 8; Column 8, lines 28 – Column 9, lines 18**).

Regarding **Claim 17, Fukui combined with Nojima** disclose, wherein, when multiple built-in images are selected by said built-in image selection module, said image integration module integrates the selected multiple built-in images into the at least one image integration area of the selected template in an order of selection of the multiple built-in image and in the priority order set by said priority order setting module (**Nojima: Column 7, lines 25-58; and See Figures 15, 17 and 19**).

Regarding **Claim 18, Fukui combined with Nojima** disclose, further comprising a priority order display module that displays the priority order set by said priority order setting module in the at least one image integration area (**Fukui: See Figures 19; Column 8, lines 28 – Column 9, lines 18. Nojima: Column 7, lines 25-58; and See Figure 3**).

6. Regarding **Claim 11, Fukui** teaches a print job creation method that creates a print job (**document, Column 1, lines 9-11; Column 3, lines 33-35**), which includes

Art Unit: 2625

layout **(formatted/ to be laid out)** of at least one image **(document data / text data / figure data)** in a template **(specified format)** having at least one image integration area **(region)** to integrate **(to be laid out)** an image therein **(Column 1, lines 13-17 and lines 53-63)**, said print job creation method comprising the steps of:

(a) selecting one print service among multiple print service options, in response to a user's operation **(operator selection input unit, Column 4, lines 44-63)**;

(b) displaying a list of available templates corresponding to a print service selected in said step (a) to allow selection of a desired template **(candidate selection control unit; Column lines 27-60)**, among all templates stored in a template storage module **(region data memory unit)**, that stores available templates corresponding to each of the multiple print service options, the templates being prepared by combining an original template image, which has no image integration area **(Noted: the original image of the current application is understood by the Examiner as a blank page which defines the original page parameters of the size and position used to create a template and document. This is met by the original user's input selection which includes information on the position and size of a page taught by Fukui)**, with at least one area display image **(frame for laying out the document data)**, which defines the at least one image integration area **(Column 3, lines 36-39; Column 3, lines 66 - Column 4, lines 13; and Column 5, lines 14-30)**, with at least one area display image, which defines the at least one image integration area, and selecting a template in response to the user's template selection instruction **(Column lines 27-60)**;

Art Unit: 2625

(c) setting a priority order of at least one image integration area included in the selected template, based on an arrangement of the at least one image integration area defined by the area display image (**candidate order determination unit; Column 8, lines 54 – Column 9, lines 18; and See Figures 19 and Figures 20**);;

(d) selecting at least one image as a built-in image to be integrated into the selected template, in response to the user's image selection instruction (**process module which identifies a referencing phrase / candidate selection control unit; Column 5, lines 39-44**); and

(e) integrating the at least one selected built-in image into the at least one image integration area of the selected template in the priority order set in said step (c), in response to the user's image integration instruction (**candidate layout generation unit; Column 4, lines 18-37**).

Fukui does not directly teach a print job creation apparatus comprising:

a print job creation method comprising the steps of:

(a) selecting one print service among multiple print service options, in response to a user's operation.

**Fukui combined with Nojima** does teach a print job creation method that creates a print job, which includes layout of at least one image in a template having at least one image integration area to integrate an image therein, said print job creation method comprising the steps of:

(a) selecting one print service among multiple print service options, in response to a user's operation **(creating a postcard is selected from a display screen;**

**Column 3, lines 19-34; and Column 6, lines 54 – Column 7, lines 6);**

(b) displaying a list of available templates corresponding to a print service selected in said step (a) to allow selection of a desired template **(Column 4, lines 37-48; and See Figure 3)**, among all templates stored in a template storage module, that stores available templates corresponding to each of the multiple print service options, the templates being prepared by combining an original template image, which has no image integration area, with at least one area display image, which defines the at least one image integration area, with at least one area display image, which defines the at least one image integration area**(Column 4, lines 30-36; and Column 7, lines 14-17)**, and selecting a template in response to the user's template selection instruction **(Column 4, lines 37-48; and See Figure 3);**

(c) setting a priority order of at least one image integration area included in the selected template, based on an arrangement of the at least one image integration area defined by the area display image **(Column 7, lines 25-48);**

(d) selecting at least one image as a built-in image to be integrated into the selected template, in response to the user's image selection instruction **(Column 4, lines 37-48);** and

(e) integrating the at least one selected built-in image into the at least one image integration area of the selected template in the priority order set in said step (c), in response to the user's image integration instruction **(Column 4, lines 37-48).**

Fukui and Nojima are combinable because they are both from the same art of methods and apparatuses which create and process documents in accordance with a user's selections in a variety of options.

Therefore, it would have been obvious to one skilled in the art to modify Fukui with the teachings of Nojima at the time of the invention, so to provide a document processing apparatus in which, in the processing of producing document data by inserting parts into a layout for a postcard or any other card and outputting the resultant data, the manipulation for selecting a layout and inserting a part into the selected layout is simplified, and information can be discerned on a display screen, and thus document data of any layout can be processed easily and shortly (see SUMMARY).

Claim 12, CANCELED.

Regarding **Claim 13, Fukui combined with Nojima** disclose said print job creation method further comprising the step of:

in response to the user's selection of one image integration area in the template with a built-in image currently placed therein in said step (d) and an image to be newly integrated into the selected image integration area, replacing the built-in image currently placed in the selected image integration area with the selected image (**Nojima: Column 4, lines 57-64; Column 5, lines 5-11; and Column 9, lines 10-50**).

Art Unit: 2625

Regarding **Claim 16, Fukui combined with Nojima** disclose wherein said step (c) sets the priority order of the at least one image integration area according to a positional sequence of an upper end and a positional sequence of a left end of each image integration area in the selected template (**Fukui: See Figures 3, 10A – 10B, 11A – 11C, 17A – 17B, 19, 20 and 8; Column 8, lines 28 – Column 9, lines 18**)..

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN R. BECKLEY whose telephone number is (571)270-3432. The examiner can normally be reached on Mon-Fri: 7:30-5:00 EST (Alternate Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TWYLER L. HASKINS can be reached on (571)272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jonathan R Beckley/  
Examiner, Art Unit 2625  
2/3/2009

/Twyler L. Haskins/  
Supervisory Patent Examiner, Art Unit 2625